

REMARKS

Thorough examination of the application is sincerely appreciated.

According to the Office Action, claims 1, 9 and 17 are under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1, 9 and 17 of U.S. Patent No. 6,912,250 (hereinafter '250 patent). The '250 patent is commonly owned with the present application.

In response, in order to conclude the prosecution of the application and without conceding any statements or waiving any arguments in the Office Action, a terminal disclaimer is submitted in compliance with 37 CFR 1.321(c), thereby obviating the above-mentioned double-patenting rejection.

An earnest effort has been made to be fully responsive to the Examiner's correspondence and advance the prosecution of this case. In view of the above amendments and remarks, it is believed that the present application is in condition for allowance, and an early notice thereof is earnestly solicited.

Please charge any additional fees, including the fee for the terminal disclaimer, associated with this application to Deposit Account No. 14-1270.

Respectfully submitted,

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